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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/509,852	09/30/2004	Nicolas Drevon	Q83107	4310
23373 7590 09/04/2007 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER ELCENKO, ERIC J	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 09/04/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/509,852	DREVON, NICOLAS	
	Examiner	Art Unit	
	Eric Elcenko	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In view of the Appeal Brief filed on 29 May 2007, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Hogan et al. (U.S. Pub. No. 2002/0111180)

In regard to Claim 1, Hogan teaches a method for controlling access rights in a cellular mobile radio system, comprising transferring roaming agreement information from a core network to a radio access network of said cellular mobile radio system, *(the core network and the radio access network communicate via the lu interface in the control plane, (Para 12-13))* wherein said roaming information is transferred independently of messages linked to calls or user equipment. *(Hogan teaches subscriber groups and roaming restriction groups, both of which are pre-agreed upon operators prior to the interaction of a specific subscriber into the systems, so that when a subscriber is entered into the operation the systems already have the knowledge and protocol with how to deal with the subscribers coming into their system. The operators and the subscriber groups can be defined or expressed as one or more IMSI-PLMNs in which only a portion of the IMSI is used to define the groups based upon the PLMN. (Para 15-19))*

In regard to Claim 2, Hogan teaches wherein the roaming agreement transferred is common to a public land mobile network (PLMN) identified by a subset of an

international mobile subscriber identity (IMSI) number. *(The operators and subscriber groups can be defined or expressed as one or more IMSI-PLMNs in which only a portion of the IMSIs used to define the groups based upon the PLMN (Para 15-19))*

In regard to Claim 3, Hogan teaches where said subset includes a mobile country code (MCC) and a mobile network code (MNC) field. *(The home-public land mobile network HPLMN id can be extracted from the IMSI. In this regard the HPLMNid is the mobile country code, MCC, and the mobile network code, MNC. (Para 19))*

In regard to Claims 4 and 5, Hogan teaches wherein according to said roaming agreement information access to a visited public land mobile network is authorized for the whole VPLMN or limited to certain areas of said VPLMN, wherein said certain area of said VPLMN are areas in which a HPLMN does not provide radio coverage. *(the network can be shared network wherein more than one operator controls the RNCs 26(1 and 2) wherein the RNCs of the other operators may be used in conjunction with their own cells to provide service (Para 54))*

In regard to claim 6, Hogan teaches wherein the roaming agreement information transferred is indicated for each location area (LA). *The operators and subscriber groups can be defined or expressed as one or more IMSI-PLMNs in which only a portion of the IMSIs used to define the groups based upon the PLMN (Para 15-19))*

In regard to Claim 7, Hogan teaches wherein said roaming agreement information is transferred in the event of modification of said information in the core network. *(the access group classification message can, as appropriate, be one of a*

location update response and a location update reject message, either of which can include the access group classification. (Para 24))

In regard to Claims 8 and 9, Hogan teaches where the core network is configured beforehand with said roaming agreement information. *(the subscriber groups and restriction groups along with their compositions are typically pre-agreed among operators. (Para 15-17))*

In regard to Claim 10, Hogan teaches wherein said roaming agreement information is stored in the core network in a database of a visitor location register type. *(The subscriber information and groups are held in a location register. (Para 9))*

In regard to Claim 11, Hogan teaches a radio access network equipment of a cellular mobile radio communication system, the radio access network equipment comprising means for receiving roaming agreement information from a core network equipment, *(the core network and the radio access network communicate via the lu interface in the control plane, (Para 12-13))* wherein the roaming agreement information is received independently of messages linked to calls or user equipment. *(Hogan teaches subscriber groups and roaming restriction groups, both of which are pre-agreed upon operators prior to the interaction of a specific subscriber into the systems, so that when a subscriber is entered into the operation the systems already have the knowledge and protocol with how to deal with the subscribers coming into their system. The operators and the subscriber groups can be defined or expressed as one or more IMSI-PLMNs in which only a portion of the IMSI is used to define the groups based upon the PLMN. (Para 15-19))*

In regard to Claim 12, Hogan teaches the radio access network equipment is a radio network controller (RNC) (*Para 12*)

In regard to Claim 13, Hogan teaches a core network equipment of a cellular mobile radio system the core network comprising means for transferring roaming agreement information to a radio access network equipment, (*the core network and the radio access network communicate via the lu interface in the control plane, (Para 12-13)*) wherein the roaming agreement information is transferred independently of messages linked to calls or user equipment. (*Hogan teaches subscriber groups and roaming restriction groups, both of which are pre-agreed upon operators prior to the interaction of a specific subscriber into the systems, so that when a subscriber is entered into the operation the systems already have the knowledge and protocol with how to deal with the subscribers coming into their system. The operators and the subscriber groups can be defined or expressed as one or more IMSI-PLMNs in which only a portion of the IMSI is used to define the groups based upon the PLMN. (Para 15-19)*)

In regard to Claim 14, Hogan teaches wherein said roaming agreement information is stored in a visitor location register (*Para 9*), and said core network equipment takes a form of a mobile switching center (MSC) type equipment connected to a VLR. (*Para 52*)

In regard to Claim 15, Hogan teaches where said roaming agreement information is stored in a VLR and said core network equipment takes the form of a GPRS support node type equipment. (*Para 52*)

In regard to Claim 16, Hogan teaches a mobile radio system comprising a plurality of terminals, *(subscriber lists and multiple lists provided from service providers of list of mobile subscribers in the system. (Para 15-19))* a core network which contains roaming agreement information *(the information is pre-agreed upon and distributed throughout the network. (Para 15-19))* a radio access network which communicates with the mobile terminals and the core network and manages mobility of mobile terminals within the radio access network *(Para 12, 52)*, wherein said roaming agreement information is transferred independently of messages linked to calls or equipment. *Hogan teaches subscriber groups and roaming restriction groups, both of which are pre-agreed upon operators prior to the interaction of a specific subscriber into the systems, so that when a subscriber is entered into the operation the systems already have the knowledge and protocol with how to deal with the subscribers coming into their system. The operators and the subscriber groups can be defined or expressed as one or more IMSI-PLMNs in which only a portion of the IMSI is used to define the groups based upon the PLMN. (Para 15-19))*


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Elcenko whose telephone number is (571) 272-8066. The examiner can normally be reached on M-F 7:30 AM through 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on (571) 272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ee


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